



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

INFO CC: NORM WILLARD  
MARV ROSENSTEIN  
JERRY SOTOLONGO  
MARGARET MCDONOUGH

OCT 11 1983

58030

*file*

THE ADMINISTRATOR

U.S. v. AVX Original  
Litigation Document

RECEIVED

OCT 19 1983

REGION 1  
OFFICE OF CONGRESSIONAL &  
INTERGOVERNMENTAL RELATIONS

Ms. Priscilla A. Chapman  
Executive Director, Sierra Club - New  
England Chapter  
3 Joy Street, Room 12  
Boston, Massachusetts 02108

Dear Ms. Chapman:

Thank you for your letter and the opportunity to have met with you and other environmental leaders from New England during my recent visit to Boston. I will address the issues you raised as a followup to the Boston session and the meeting of the National Governors' Association in Maine.

1. New Bedford PCB Study/Cleanup: Though pleased with EPA's recent activities and funding in New Bedford, you asked for speedy clean-up activities.

The problem in New Bedford has not been "designated as a perpetual study site." The contamination of this area presents a major engineering challenge, both because of the volume of wastes present and the technical complexity of resolving a combined air, land, and water pollution problem. However, as part of EPA's recently announced \$3.4 million remedial investigation and feasibility study, approximately \$400,000 will be used to devise alternatives for an accelerated cleanup of the PCB "hot spots" in the Acushnet River Estuary to which you refer. Due to the environmental complexity of the site and the difficult task of locating suitable hazardous waste disposal facilities to accept the PCB-contaminated wastes, this feasibility study will require at least 9 months to complete.

To facilitate action at the other major problem areas relating to the PCB problem in New Bedford, including the specific areas you listed, the New Bedford site has been separated into subsites. To the extent possible, each subsite will be managed independently. As adequate information becomes available at each subsite, EPA will move as rapidly as possible to propose actions for cleanup of the specific problem areas.

2. Acid Rain: You encouraged me to support an emission reduction of 50 percent to achieve a target deposition rate of no more than 20 kilograms/hectare.

When he nominated me to be Administrator, President Reagan charged me with presenting him with a strategy for resolution of the acid deposition problem. Recently, a special EPA task force on acid rain gave me their findings and recommendations. I know you will understand my reluctance to discuss these proposals publicly prior to presenting them to the President. Let me assure you that we will be making an announcement about the details of our proposal within the next several weeks. I am aware of the keen interest in this issue in New England and will make certain my Regional Office sends you a copy of our proposal when it is available.

3. Air Toxics Standards: You asked that air toxics standards guarantee protection of public health, in the light of evidence that there is for some substances no safe level of exposure. EPA continues to grapple with the issue of how to protect public health, with an ample margin of safety, from exposure to pollutants with no known threshold. It is our belief that Congress did not intend that EPA require zero emissions of the many pollutants for which we cannot definitively establish a safe exposure level. Our approach has been to require best available technology for those "non-threshold" pollutants and then to determine whether or not the risk remaining is unreasonable. The tools available to us are such that there is great uncertainty in our estimates of risk. Thus, the time involved in assessing and eventually regulating hazardous air pollutants has been lengthy. Nonetheless, as a result of a recent report from the National Academy of Sciences which addressed risk assessment and risk management, we are now exploring other decisionmaking criteria and procedures. Options which we are considering include a greater reliance on quantitative risk estimates in regulatory decisions, a greater emphasis on regulating specific sources instead of source categories, and using population density around sources to assist in determining the extent and level of control. Whatever approach we select, I assure you that EPA will act as we believe Congress intended when it gave us the mandate to protect the public health from exposure to hazardous air pollutants.

4. Carbon Monoxide Standard: You asked whether EPA is recommending a change in the carbon monoxide standard and, if so, how can public health be protected.

EPA has recently published a public review draft of a new study (EPA report #600-8-83033A) entitled "Revised Evaluation of Health Effects Associated with Carbon Monoxide Exposure," which supplements our knowledge of the health effects from carbon monoxide.

The results of this study were discussed by the Clean Air Scientific Advisory Committee when they met in Washington, D.C. on September 26 and 27, 1983. Only after we have completed evaluating this information and all related public comments will EPA make a decision on whether or not the carbon monoxide standards should be changed. Regardless of what happens to the carbon monoxide standard, EPA will continue to work with the States in the State Implementation Plan process to ensure that all ambient air quality standards are attained as expeditiously as practicable.

5. EPA Budget: Your final concern relates to EPA grants in support of environmental programs at the State level.

Upon my confirmation, I reviewed the Agency's budget submission to the Congress and determined there was a need to adjust it upward. Congress ultimately increased our budget to levels consistent with my request for supplemental funding.

EPA's FY 1984 appropriation includes some \$69 million more for state grants than was originally planned for in this year's budget. In FY 1981, \$271 million was available in Program Grant Funds and \$64 million in State Management Assistance Funds to support state activities. In FY 1984, \$241 million in Program Grant Funds and \$120 million in Management Assistance Grant Funds (used to support delegated programs) will be available. This represents a \$36 million increase in direct support available to the States over the FY 1981 appropriation.

As I have indicated on several occasions, the appropriate environmental management roles for EPA and the States is a dynamic process which should pay continuously review to assure that the decisionmaking process is efficient and dependable, and to reevaluate who should pay for what programs and in what amounts. In my view such informed definition of roles is essential to the achievement of our environmental goals and constitutes a clear prerequisite to determining true resource needs and costs at the Federal and State levels.

In the autumn, I will be releasing the results of the work of a Task Force I appointed to examine the question of Federal/State implementation roles and attendant financial needs and costs. The Task Force will also be presenting options on the technical support and oversight functions.

There is no question that it is ultimately EPA's responsibility to see that the goals of Federal environmental laws are achieved. But to do so we need the support and cooperation of the States, the regulated industry, interest groups like yours and the public. For this reason I welcome and will continue to seek out your views and those of others on

substantive environmental issues, on matters of assigning proper Federal/State roles and on arriving at suitable levels of funding in support of these efforts.

I appreciate your taking the time to express your concerns and applaud your continuing efforts on behalf of the environment.

Sincerely yours,

/S/ WILLIAM D. RUCKELSHAUS

William D. Ruckelshaus

E-Mail: REG I: EILs, Stephen F: 9/20/83: AX-0772  
Rewritten/Retyped 10/5/83 per T. Hunt in AX